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Attorneys for Plaintiff: DAVID PAZ, an individual and
on behalf of all others similarly situated

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DAVID PAZ, an individual and on behalf of all
others similarly situated,

Plaintiff,

vs.

PLAYTEX PRODUCTS, INC., a Delaware
Corporation, and DOES 1 through 100,
inclusive,

Defendants.

CASE NO. 3:07-cv-2133-JM-BLM

CLASS ACTION

AFFIDAVIT OF VENUE

[California Civil Code § 1780(c)]

District Judge: Hon. Jeffrey T. Miller
Room/Floor: Room 16 / 5th Floor

I, David Paz, declare as follows:

1. I am an individual residing in San Diego County. I am the proposed class representative in the above-captioned litigation matter. I have personal knowledge of all matters set forth herein and could competently testify thereto if called to do so at the time of any hearing or trial in this case, except as to those matters averred on information and belief, which I believe to be true. This affidavit is provided in support of what I understand to be statutory requirements under California law (i.e., California Civil Code § 1780(c)).

2. The transactions that form the basis of this action (i.e., my purchase of the Playtex

1 “Insulator” spill proof cup) occurred in San Diego County. (True and correct copies of images
2 of the Playtex “Insulator” cup at issue in this lawsuit are attached hereto and marked as Exhibit
3 “A”). To the best of my recollection, the transactions at issue herein occurred in either June or
4 July of 2007.

5 3. The Class Action Complaint, which I authorized to be filed, contains a cause of
6 action for violation of the Consumers Legal Remedies Act as against defendants Playtex
7 Products, Inc. and DOES 1 through 100.

8 4. As per the foregoing assertions, this cause of action has been commenced in the
9 proper county or judicial district for trial, which is San Diego County.

10 I declare under penalty of perjury pursuant to the laws of California and the United States
11 of America, that the foregoing is true and correct and that this declaration was executed on
12 January 4, 2008, at Del Mar, California.

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David Paz

Exhibit "A"



07059AC

the
insulator

- Break-Proof, Insulated Cup
- Patented Playtex® SipEase® Valve eliminates messy spills
- Easy to activate - liquid flows easily when child sips
- Easy to clean
- Lid is interchangeable with all Playtex® cups

- Taza Hermética e Inrompible
- La Válvula SipEase® patentada de Playtex® elimina los derrames inoportunos
- Fácil de activar: el líquido fluye fácilmente cuando el niño sorbe
- Fácil de limpiar
- Tapa es intercambiable con todas las tazas de Playtex®



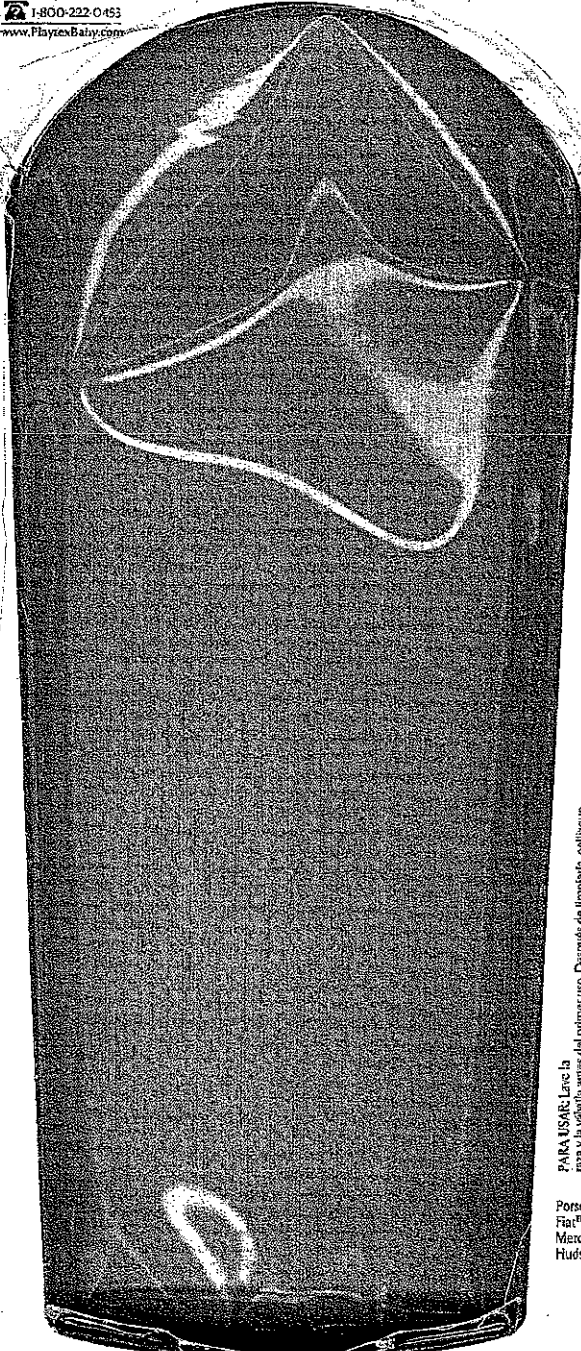
1-800-222-0453
www.PlaytexBaby.com

Replacement SipEase® valves
are sold separately.

- WARNINGS:**
- To avoid injury, do not let child walk or run with cup.
 - Do not use with any hot liquids as this may result in burning.

TO USE: Wash cup and valve before first use. After cleaning, pinch valve at stem to activate. Insert valve into the holes on the inside of the lid with arrow towards drinking spout. Screw lid on tightly. Do not use valve with carbonated beverages or pulpy juices.

TO CLEAN: Clean as soon as possible after each use. Remove valve from lid and place in valve storage area in lid. Wash lid/valve and cup in cup rack of dishwasher or hand wash each part separately. Avoid use of abrasive cleansers.



PARA USAR: Lave la taza y la válvula antes del primer uso. Después de limpiarla, pellizque el tubo de la válvula para activarla. Inserte la válvula en los orificios, con la flecha hacia la boquilla. Asegure que la tapa esté firmemente torcida. No utilice la válvula con bebidas carbonatadas o jugos con pulpa.

PARA LIMPIAR: Lave inmediatamente después de cada uso. Quite la válvula de la boquilla y ponga en el lugar para almacenar la válvula en la tapa. Lave la taza, la tapa y la válvula y la taza por separado en la rejilla superior del lavaplatos o lave a mano por separado cada parte. Evite el uso de limpiadores abrasivos.

- ADVERTENCIAS:**
- Para evitar lesiones, no permita que el niño camine o corra con la taza.
 - No la utilice con líquidos calientes, ya que puede causar quemaduras.

Las válvulas SipEase® de repuesto se venden por separado.

Porsche™
Fiat™
Mercury™
Hudson Hornet™

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U.S. Patent Nos. RE37,016; 6,030,445; 6,422,445; 6,507,092; D457,778 and D471,064.
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